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TO: Deans, Directors, Department Heads, and Department Representatives

FROM: Renisha Gibbs, Assistant Vice President for Human Resources and Finance & Administration Chief of Staff

SUBJECT: FLSA — Overtime Funding and Dual Compensation

DATE: November 10, 2016

As you know, changes to the FLSA overtime rules go into effect at FSU next week. Below is some additional information related to these changes.

Overtime Funding

After much consideration and discussion, we have ultimately decided that there will be no change to the current E&G Salary Policy related to the funding of overtime.

- That is, overtime charges incurred by salaried positions on OMNI funds 110 and 121 will continue to be covered by the University's E&G Reserve.

We believe keeping the current practice upon implementation of the 2016 changes will facilitate a smoother transition to the new regulatory requirements. The Division of Finance and Administration will monitor the impact of the FLSA changes on the University's E&G Reserve. If a decision is made to change the E&G Salary Policy as it relates to the funding of overtime positions on OMNI funds 110 and 121, we will provide you with as much notice as possible.

Dual Compensation

Please be aware that if an employee in your unit has multiple jobs at FSU, this can affect their overtime accrual. This includes any of your employees who become nonexempt on 11/18/2016.

If an employee has:

- **Multiple nonexempt (overtime eligible) positions:** all hours count together towards 40 for overtime.
 - The overtime is charged to the position(s) where the employee reports hours over 40 for that week.
- **A mixture of nonexempt and exempt positions:** they will be eligible for overtime, if they work over 40 hours in the nonexempt appointment(s).
 - The overtime is charged the nonexempt position only. Hours worked in the exempt position(s) won't count towards the 40 hour per week total.

We recommend that departments review dual compensation situations in their unit to determine if there is any impact and decide whether to continue to approve the dual compensation in future semesters.

- This OMNI HR query allows you to review dual compensation for your employees: **FSU_HR_MULTIPLE_JOBS**.

Human Resources will be reviewing how dual compensation is handled for FLSA purposes over the upcoming year. There may be refinements to how overtime is calculated in dual compensation scenarios.

Questions?

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